

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 09 2022

Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
22-14477 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gary and Shannon Summers
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Charles Gaudet
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 788 Victor ID 83455
Mailing address City State Zip
307-413-1152
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: November 2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] 11/17/2022
 Signature of new owner/claimant Title, if applicable Date
Charles G. Gaudet
 Print name

Signature: _____
 Signature of new owner/claimant Title, if applicable Date
 Print name

For IDWR Office Use Only:

Received by m. petterson Date 12-9-22 Receipt No. E048766 Receipt Amt. 25.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by JB Processed by JB Date 12/14/2022

DEC 20 2022

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

PTC 820766

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

GARY SUMMERS AND SHANNON SUMMERS, husband and wife, whose address is 1177 E 9th N, Rexburg, ID, 83440 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto CHARLES G. GAUDET, whose address is PO Box 788, Victor, ID 83455 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 10th day of November, 2022.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

ID: 278845
County: TETON
Date: 11-29-22 Time: 11:30 AM

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

PTC 820766

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

GARY SUMMERS AND SHANNON SUMMERS, husband and wife, whose address is 1177 E 9th N, Rexburg, ID, 83440 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto **CHARLES G. GAUDET**, whose address is PO Box 788, Victor, ID 83455 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 10th day of November, 2022.

SCANNED

"GRANTOR"

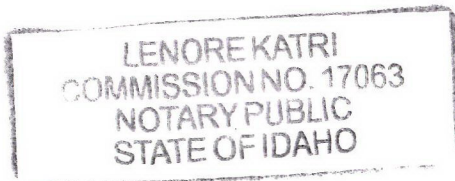
Gary Summers
Gary Summers

Shannon Summers
Shannon Summers

STATE OF IDAHO)

County of Bonneville)ss.

This record was acknowledged before me on the 10th day of November, 2022, by **Gary Summers.**



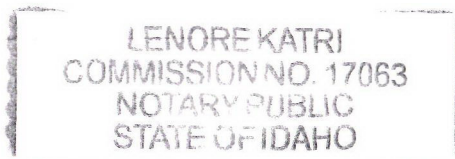
Lenore Katri
Notary Public for Idaho
My Commission Expires: _____

Residing at Idaho Falls, ID
My Commission Expires: 1-30-2027

STATE OF IDAHO)

County of Bonneville)ss.

This record was acknowledged before me on the 10th day of November, 2022, by **Shannon Summers.**



Lenore Katri
Notary Public for Idaho
My Commission Expires: _____

Residing at Idaho Falls, ID
My Commission Expires: 1-30-2027

EXHIBIT A WATER RIGHT DESCRIPTION

Page 3 of 4

WATER RIGHT NO. 22-14477

As Modified by Transfer No. 86396

In accordance with the approval of Transfer No. 86396, Water Right No. 22-14477 is now described as follows:

Right Holder: SHANNON SUMMERS AND
GARY SUMMERS
1177 E 9TH N
REXBURG, ID 83440

Priority Date: 6/19/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	01/01	to 12/31		2.0 af
DIVERSION TO STORAGE	04/15	to 10/15	0.010 cfs	
FISH PROPAGATION STORAGE	01/01	to 12/31		2.0 af
WILDLIFE STORAGE	01/01	to 12/31	0.010 cfs	2.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 11 Twp 04N Rge 45E TETON County
GROUND WATER SWNW Sec 11 Twp 04N Rge 45E TETON County
GROUND WATER SWNW Sec 11 Twp 04N Rge 45E TETON County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
04N	45E	11								X									0.0

PLACE OF USE: FISH PROPAGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
04N	45E	11								X									0.0

PLACE OF USE: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
04N	45E	11								X									0.0

Transfer No. 86396

SCANNED

WATER RIGHT NO. 22-14477
As Modified by Transfer No. 86396

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. The two ponds established by the storage of water under this right shall not exceed a total capacity of 3.7 acre-feet or a total surface area of 1.5 acres. Initial fill for the ponds is supplied by a Water Supply Bank rental.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 86396

SCANNED

DEC 20 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86396

This is to certify that: CHARLES G. GAUDET
PO BOX 788
VICTOR, ID 83455-0788

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-14026	WR/DECREED	6/19/1961	1.740 cfs	430.8 af	N/A	143.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-14026	YES	YES	YES	YES	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-14026	22-14477	0.010 cfs	2.0 af	N/A	N/A	22-14026	1.730 cfs	427.8 af	N/A	142.6
COMBINED TOTALS		0.010 cfs	2.0 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 24th day of October, 2022



Regional Manager

Transfer No. 86396

SUPPORT DATA
IN FILE # 22-14026

SCANNED
OCT 26 2022

WATER RIGHT NO. 22-14026
As Modified by Transfer No. 86396

In accordance with the approval of Transfer No. 86396, Water Right No. 22-14026 is now described as follows:

Right Holder: SHANNON SUMMERS AND
 GARY SUMMERS
 1177 E 9TH N
 REXBURG, ID 83440

Priority Date: 6/19/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	1.730 cfs	427.8 af
			1.730 cfs	427.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 12 Twp 05N Rge 45E TETON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	45E	11			26.5	12.4													38.9
05N	45E	12	35.0	22.8					16.4	29.5									103.7

POU Total Acres: 142.6

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than November 24, 2008.
2. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 86396

SCANNED

WATER RIGHT NO. 22-14477**As Modified by Transfer No. 86396**

In accordance with the approval of Transfer No. 86396, Water Right No. 22-14477 is now described as follows:

Right Holder: SHANNON SUMMERS AND
GARY SUMMERS
1177 E 9TH N
REXBURG, ID 83440

Priority Date: 6/19/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	01/01	to 12/31		2.0 af
DIVERSION TO STORAGE	04/15	to 10/15	0.010 cfs	
FISH PROPAGATION STORAGE	01/01	to 12/31		2.0 af
WILDLIFE STORAGE	01/01	to 12/31	0.010 cfs	2.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 11 Twp 04N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 11 Twp 04N Rge 45E	TETON County
GROUND WATER	SWNW	Sec 11 Twp 04N Rge 45E	TETON County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	11							X										0.0

PLACE OF USE: FISH PROPAGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	11							X										0.0

PLACE OF USE: WILDLIFE STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	11							X										0.0

Transfer No. 86396

SCANNED
OCT 26 2022

WATER RIGHT NO. 22-14477
As Modified by Transfer No. 86396

CONDITIONS OF APPROVAL

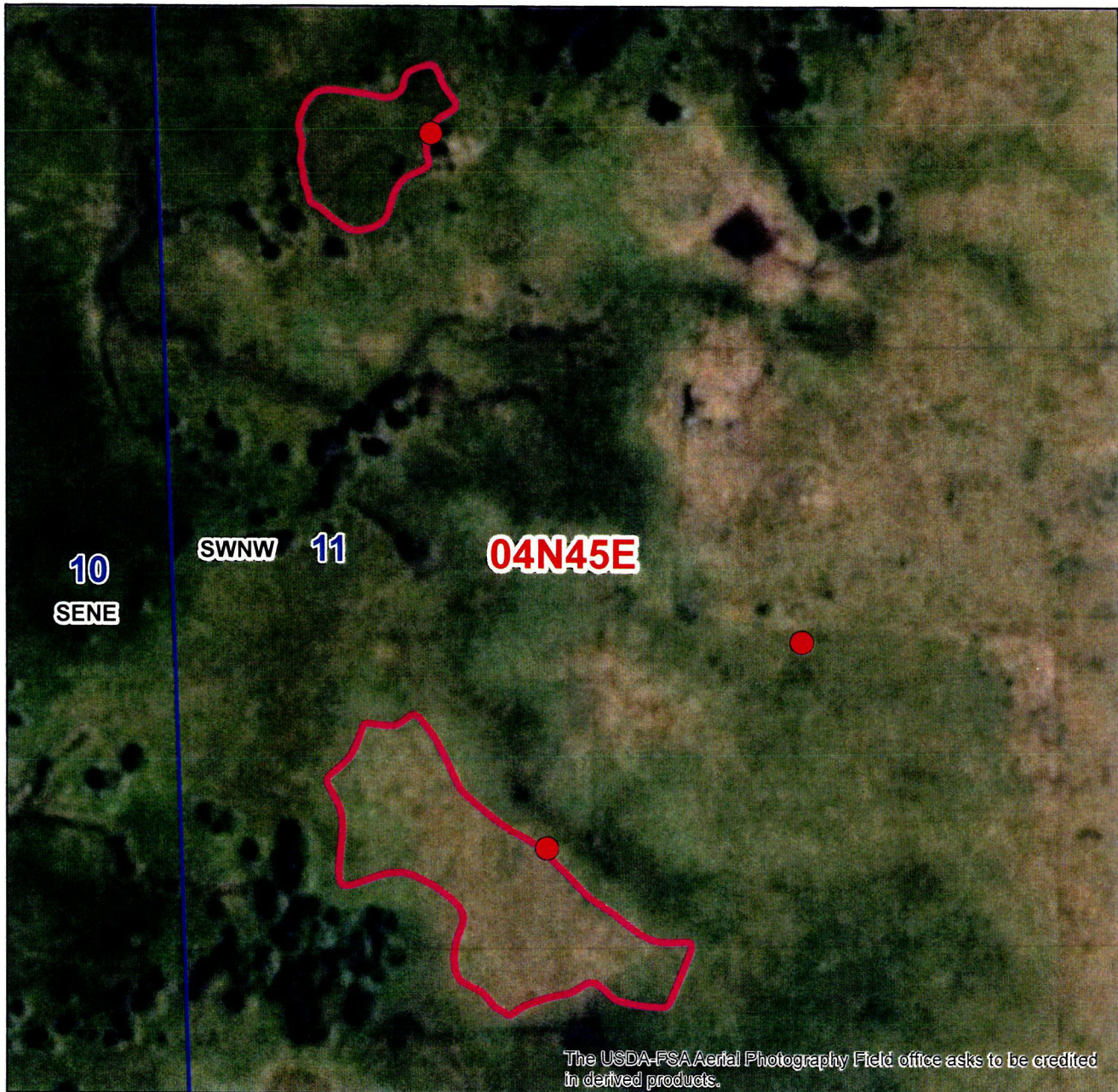
1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. The two ponds established by the storage of water under this right shall not exceed a total capacity of 3.7 acre-feet or a total surface area of 1.5 acres. Initial fill for the ponds is supplied by a Water Supply Bank rental.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 86396

SCANNED
OCT 26 2022

Attachment to Transfer Approval 86396

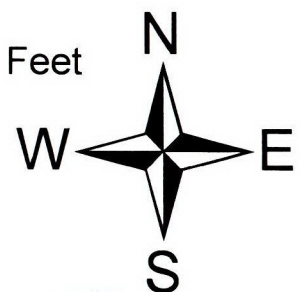
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 125 250 500 Feet



SCANNED
OCT 26 2022

Date: 10/24/2022



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 14, 2022

CHARLES GAUDET
PO BOX 788
VICTOR ID 83455-0788

Re: Change in Ownership for Water Right No(s): 22-14477

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)